

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADEWALE ANIYELOYE,

Defendant.

8:16CR305

**MEMORANDUM
AND ORDER**

This matter is before the Court on its own motion. On Tuesday, September 7, 2021, a pro se motion was sent to chambers via email and telefax by Christopher Reese, apparently on behalf of defendant Adewale Aniyeloye (“Aniyeloye”). Mr. Reese did not identify his relationship to Aniyeloye and specifically did not identify himself as an attorney acting on Aniyeloye’s behalf.

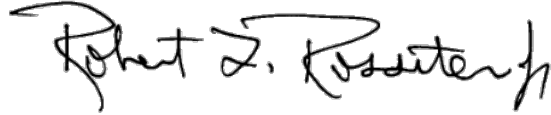
A return email (attached) was sent to Mr. Reese on September 8, 2021, noting that the third-party submission violated the Federal Rules of Civil Procedure and this district’s local rules. The return email informed Mr. Reese that his third-party submissions would not be accepted or filed on behalf of Aniyeloye.

On Monday, September 13, 2021, the identical motion was mailed to the Clerk’s Office for the United States Court for the District of Nebraska and was filed (Filing No. 84). Because this submission was identical to the previous submission and because there was no original signature, no return address, nor any indication that the submission came from Aniyeloye, or through an attorney, the Court will strike this pleading without prejudice. Any such motion or other pleading must be submitted directly from Aniyeloye or by a licensed attorney.

IT IS SO ORDERED.

Dated this 14th day of September 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge

From: [Jane Fischer](#)
To: reesesearchny@yahoo.com
Subject: 8:16CR305 -- Adewale Aniyeloye
Date: Wednesday, September 8, 2021 1:41:00 PM
Attachments: [CCF_000277.pdf](#)
[image001.png](#)
[image002.png](#)

Dear Mr. Reese:

On Tuesday, September 7, 2021, our chambers received an email and a separate telefax of a pro se motion in the above-referenced case. Under Local Rule 49.1(c), the Court does not accept fax or email filings, and the Court cannot accept a document submitted by a third party on behalf of a defendant under the Federal Rules. You provide no information about your relationship to Mr. Aniyeloye or why you sent this motion to chambers on his behalf.

Federal Rule of Civil Procedure 11(a) requires that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a). Mr. Aniyeloye is unrepresented, but he did not personally sign the motion or accompanying brief. Mr. Aniyeloye makes no showing of incapacity and has not provided any other explanation to the Court why he could not prepare, sign, and file his own legal documents. *United States v. Brenton*, No. 8:04CR262, 2007 WL 3124539, at *1 (D. Neb. Oct. 23, 2007) (explaining that a pro se party must sign their own documents submitted to the Court “to assur[e] that the statements and arguments made are those of [the defendant]”). The Court routinely receives pro se documents from Federal prisoners and expects Mr. Aniyeloye (and you) to abide by the federal rules.

Because the materials were sent to us electronically, we will not return them. Please be advised that we will not be filing these third-party submissions with the Clerk’s Office on your behalf or on behalf of Mr. Aniyeloye.

Jane Fischer
Judicial Assistant | Chief Judge Robert F. Rossiter, Jr.
U.S. District Court | District of Nebraska
(402) 661-7310 | jane_fischer@ned.uscourts.gov

From: Christopher Reese <reesesearchny@yahoo.com>
Sent: Tuesday, September 7, 2021 9:19 AM
To: rossiter@ned.uscourts.gov
Subject: COMPASIONATE RELEASE

CAUTION - EXTERNAL:

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.